

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE: CASE NO. 16-29689

Pamela Anne Taglia; CHAPTER 7
Louis Joseph Taglia;

JUDGE Donald R. Cassling

Debtor(s).

NOTICE OF MOTION

PLEASE TAKE NOTICE that on November 18, 2016, at 11:00 am, or soon thereafter as counsel may be heard, I shall appear before the Honorable Donald R. Cassling or any judge sitting in his/her stead, in the courtroom usually occupied by him/her at Room 240, 100 South Third Street, Geneva, IL 60134, and move to present the attached motion.

/s/ Crystal Sava
Attorney for Creditor

NOTE: This law firm is deemed to be a debt collector.

CERTIFICATE OF SERVICE

I hereby certify that on November 7, 2016, a true and correct copy of the foregoing NOTICE OF MOTION was served:

Via the Court's ECF system on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Williams J. Mills, Debtor's Counsel

Gina B. Krol, Trustee

Patrick S. Layng, United States Trustee

And by regular US Mail, postage pre-paid on:

Pamela Anne Taglia, 5308 Fonda Lane, Hanover Park, IL 60133

Louis Joseph Taglia, 5308 Fonda Lane, Hanover Park, IL 60133

/s/ Crystal Sava
Attorney for Creditor

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MOTION FOR RELIEF FROM AUTOMATIC STAY

Now comes Wells Fargo Bank, N.A., secured creditor herein, by and through its attorneys, ANSELMO LINDBERG OLIVER LLC, and moves for entry of the attached Order Granting Relief from the Automatic Stay and in support thereof respectfully states as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. § 1334 and the general orders of the Northern District of Illinois.
2. Venue is fixed in this Court pursuant to 28 U.S.C. § 1409.
3. This matter constitutes a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(G).
4. The debtors filed a petition for relief under Chapter 7 on September 18, 2016.
5. Wells Fargo Bank, N.A. holds a mortgage secured by a lien on debtors' real estate commonly known as 5308 Fonda Lane, Hanover Park, Illinois 60133 n/k/a 5308 Fonda Lane, Hanover Park 60133-5111.
6. There is no equity in the property as the value is \$140,000.00 (per Schedule A/B) and the total payoff amount is \$113,504.86 as of September 20, 2016. There are additional liens extant with a total balance of \$45,652.97 (per Schedule D).
7. The loan is past due for the July 1, 2014 to October 1, 2014 payments in the amount of \$1,074.17 each, the November 1, 2014 to October 1, 2015 payments in the amount of \$1,153.98 each, the November 1, 2015 to January 1, 2016 payments in the amount of \$1,086.44 each, the February 1, 2016 to September 1, 2016 payments in the amount of

\$1,050.02 each. The total default is \$29,803.92, not including attorney fees and costs for bringing this motion.

8. Per the Statement of Intention, debtors intend to retain the property and “allow the property to endure the foreclosure case.”
9. The failure of the debtors to make timely payments is cause for the automatic stay to be modified as to the movant pursuant to 11 U.S.C. §§ 362(d)(1).
10. The property is not necessary to an effective reorganization.
11. The movant requests the Court order that Rule 4001(a)(3) is not applicable.

NOTE: Debtors executed a promissory note secured by a mortgage or deed of trust. The promissory note is either made payable to Creditor or has been duly indorsed. Creditor, directly or through an agent, has possession of the promissory note. Creditor is the original mortgagee or beneficiary or the assignee of the mortgage or deed of trust.

WHEREFORE, Movant prays for an entry of the attached Order Granting Relief from the Automatic Stay.

Wells Fargo Bank, N.A.

/s/ Crystal Sava

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Firm File Number: B16090070

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